

REMARKS

Prior to entry of this amendment, claims 1-12 are currently pending in the subject application. Claims 10 and 12 have been amended. Claims 13-15 have been added. Claims 1, 6, 8 and 12 are independent.

Applicants appreciate the Examiner's acknowledgement of applicants' claim for foreign priority and receipt of a certified copy of the priority document.

Applicants appreciate the Examiner's consideration of the Information Disclosure Statements filed on October 28, 2003 and December 28, 2004.

Applicants request, in the next Office action, that the Examiner indicate the acceptability of the drawings filed on October 28, 2003.

Claims 1-15 are presented to the Examiner for further or initial consideration on the merits.

A. Asserted Obviousness Rejection of Claims 1-12

In the outstanding Office action, the Examiner rejected claims 1-12 under 35 U.S.C. § 103(a) as being unpatentable over applicant's admitted prior art (APA) in view of U.S. Patent No. 6,795,656 to Ikeuchi et al. (hereinafter "the Ikeuchi et al. reference"). This rejection is respectfully traversed for at least the reasons set forth below.

In rejecting the claims, the Examiner relies on the APA as teaching most elements of the independent claims and on the use of a thermistor in the Ikeuchi et al. reference to increase the output current based on the ambient temperature. However, the thermistor of the Ikeuchi et al. reference is included in a temperature compensating circuit, which allows the optical power control signal to be increased. There is no disclosure or suggestion in the Ikeuchi et al. reference to provide a thermistor to set an upper limit of the laser driving current. In particular, absent the

teaching of the present invention, there is no motivation replace the resistor in the APA with the thermistor of the Ikeuchi et al. reference. Absent the teaching of the present invention, any combination of the APA and the Ikeuchi et al. reference would, at most, result in the temperature compensating circuit of the Ikeuchi et al. reference being provided between the APLC 100 and the driving circuit 102 to increase the driving signal, not to change the actual current limit in the protection unit 102b.

Such operation is apparent in all of the independent claims. For example, claim 1 recites, in part, “increases the limit of the laser diode driving current” not the value of the current itself as in the Ikeuchi et al. reference. Claim 6 recites, in part, that the thermistor “sets the current that turns on the second transistor.” In claim 6, the second transistor halts the output of the laser diode driving circuit, while in the Ikeuchi et al. reference, the thermistor turns on a transistor to increase the optical power control signal. *See*, the Ikeuchi et al. reference, col. 11, lines 46-50. Claim 8 recites, in part, “means for limiting the driving current.” Claim 12 recites, in part, using the thermistor “to prevent the current from reaching the laser diode.

Therefore, it is respectfully submitted that the neither the APA nor the Ikeuchi et al. reference, either alone or combination, disclose or suggest the present invention as recited in the independent claims. The remaining rejected claims depend, either directly or indirectly, from various ones of the independent claims, and are believed to be allowable for at least the reasons set forth above. Therefore, it is respectfully requested that this rejection be withdrawn.

B. Claims 13-15

Claims 13-15 depend, either directly or indirectly, from claim 12, and recite further details in method form. These claims are believed to be allowable for at least the reasons claim 12 is believed to be allowable.

C. Conclusion

Since the cited prior art reference neither anticipates nor renders obvious the subject invention as presently claimed, applicants respectfully submit that claims 1-15 are now in condition for allowance and notice to that effect is respectfully requested.

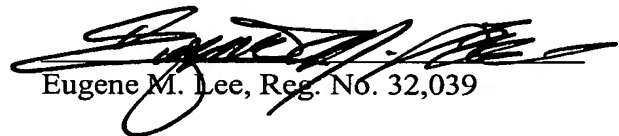
If the Examiner believes that additional discussions or information might advance the prosecution of the instant application, the Examiner is invited to contact the undersigned at the telephone number listed below to expedite resolution of any outstanding issues.

In view of the foregoing amendments and remarks, reconsideration of this application is earnestly solicited, and an early and favorable further action upon all the claims is hereby requested.

Respectfully submitted,

LEE & MORSE, P.C.

Date: January 9, 2006



Eugene M. Lee, Reg. No. 32,039

LEE & MORSE, P.C.
1101 WILSON BOULEVARD, SUITE 2000
ARLINGTON, VA 22209
703.525.0978 TEL
703.525.4265 FAX

PETITION and
DEPOSIT ACCOUNT CHARGE AUTHORIZATION

This document and any concurrently filed papers are believed to be timely. Should any extension of the term be required, applicant hereby petitions the Director for such extension and requests that any applicable petition fee be charged to Deposit Account No. 50-1645.

If fee payment is enclosed, this amount is believed to be correct. However, the Director is hereby authorized to charge any deficiency or credit any overpayment to Deposit Account No. 50-1645.

Any additional fee(s) necessary to effect the proper and timely filing of the accompanying-papers may also be charged to Deposit Account No. 50-1645.